

09/27/00
JC885 U.S. PTO

09-29-00

A/Res

Please type a plus sign (+) inside this box [+]

PTO/SB/50 (12/97)

Approved for use through 09/30/00. OMB 0651-0033

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JC916 U.S. PTO
09/672523

09/27/00

REISSUE PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 005214.P002R

First Named Inventor Kuriacose JOSEPH

Original Patent No. 5,819,034

Original Patent Issue Date October 6, 1998

(Month/Day/Year)

Express Mail Label No. EL471466794US

Total Pages 3

ADDRESS TO: **Assistant Commissioner for Patents**
Box Patent Application
Washington, D.C. 20231

APPLICATION FOR REISSUE OF:
(check applicable box) Utility Patent Design Patent Plant Patent

APPLICATION ELEMENTS

1. Fee Transmittal Form (PTO/SB/56) (Submit an original, and a duplicate for fee processing)

2. Specification (amended, if appropriate)

3. Drawings(s) (proposed amendments, if appropriate)

4. Reissue Oath/Declaration (original or copy) (37 CFR 1.175) (PTO/SB/51 or 52)

5. Original U.S. Patent

Offer to Surrender Original Patent (37 CFR 1.178) (PTO/SB/53 or PTO/SB/54) (unsigned)

OR Ribboned Original Patent Grant

Affidavit/Declaration of Loss (PTO/SB/55)

6. Original U.S. patent currently assigned?

Yes

No

(If Yes, check applicable box(es))

Written Consent of all Assignees (PTO/SB/53 or 54) (unsigned)

37 CFR 3.73(b) Statement (unsigned)

Declaration/Power of Attorney (unsigned)

7. Transfer drawings from Patent File

ACCOMPANYING APPLICATION PARTS

8. _____ Foreign Priority Claim (35 USC 119) (if applicable)

9. _____ a. Information Disclosure Statement (IDS)/PTO-1449
_____ b. Copies of IDS Citations

10. _____ English Translation of Reissue Oath/Declaration (if applicable)

11. _____ a. Small Entity Statements(s)
_____ b. Statement filed in prior application, Status still proper and desired

12. _____ Preliminary Amendment

13. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

14. Other: Associate Power of Attorney
Letter Regarding Limited Recognition

15. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label (Insert Customer No. or Attach Bar Code Label here)
or
 Correspondence Address Below

NAME André L. Marais
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Country U.S.A. TELEPHONE (408) 720-8598 FAX (408) 720-9397

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN

Date: 09/27/00

By 

André L. Marais
Under 37 CFR § 10.9(b)

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Date of Deposit: September 27, 2000

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Lindy Vajetti

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Lindy Vajetti

(Signature of person mailing paper or fee)

09/27/00

(Date signed)

UNITED STATES PATENT APPLICATION

FOR

**APPARATUS FOR TRANSMITTING AND RECEIVING EXECUTABLE
APPLICATIONS AS FOR A MULTIMEDIA SYSTEM, AND METHOD AND
SYSTEM TO ORDER AN ITEM USING A DISTRIBUTED COMPUTING SYSTEM**

INVENTORS:

Joseph Kuriacose

Ainsley Wayne Jessup, Jr.

Vincent Dureau

Alain Delpuch

Prepared by:

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Attorney's Docket No. 005214.P001R

"Express Mail" mailing label number: EL471466794US

Date of Deposit: September 27, 2001

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Lindy Vjareki

(Typed or printed name of person mailing paper or fee)

Lindy Vjareki

(Signature of person mailing paper or fee)

Sept. 27, 2001

(Date signed)

FEE TRANSMITTAL FOR FY 2000

TOTAL AMOUNT OF PAYMENT (\$) 4,342.00

Complete if Known:

Reissue Application No. Not yet assigned 09-672,523
 Filing Date September 27, 2000
 First Named Inventor Kuriacose JOSEPH
 Group Art Unit 2783
 Examiner Name Dzung Nguyen
 Attorney Docket No. 005214.P001R

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OCT 31 2000

OFFICE OF PETITIONS

METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. Payment Enclosed:
 Check
 Money Order
 Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity			
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
101	690	201	345	Utility application filing fee
106	310	206	155	Design application filing fee
107	480	207	240	Plant filing fee
108	690	208	345	Reissue filing fee
114	150	214	75	Provisional application filing fee

Fee Paid

SUBTOTAL (1) \$ NA

2. EXTRA CLAIM FEES - Preliminary Amendment

	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra	Fee from below	Fee Paid
Total Claims	* 335	Minus **	236	99	Ratio X18	\$ 1,782.00
Indep. Claims	* 48	Minus ***	16	32		

Additional Fee
X80 \$ 2,560.00

Large Entity	Small Entity			
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 4,342.00

01/10/2000

- 1 -

PTO/SB/17 (6/99)

Patent fees are subject to annual revisions. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid.

See Form PTO/SB/09-12

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~~Oct 31 2000~~

FEE CALCULATION (continued)

3. ADDITIONAL FEES

OFFICE OF PETITIONS

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
105	130	205	65
127	50	227	25
		Surcharge - late filing fee or oath	
		Surcharge - late provisional filing fee or cover sheet	
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
		Non-English specification	
		For filing a request for reexamination	
		Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*
		Requesting publication of SIR after Examiner action	
115	110	215	55
116	380	216	190
117	870	217	435
118	1,360	218	680
128	1,850	228	925
119	300	219	150
120	300	220	150
121	260	221	130
138	1,510	138	1,510
140	110	240	55
		Petition to institute a public use proceeding	
		Petition to revive unavoidably abandoned application	
141	1,210	241	605
		Petition to revive unintentionally abandoned application	
142	1,210	242	605
143	430	243	215
144	580	244	290
122	130	122	130
123	50	123	50
126	240	126	240
581	40	581	40
		Petitions to the Commissioner	
		Petitions related to provisional applications	
		Submission of Information Disclosure Stmt	
		Recording each patent assignment per property (times number of properties)	
146	690	246	345
		For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	690	249	345
		For each additional invention to be examined (see 37 CFR 1.129(a))	
<u>Other fee (specify)</u>			
<u>Other fee (specify)</u>			

Other fee (specify)

Other fee (specify)

SUBTOTAL (3) \$ NA

***Reduced by Basic Filing Fee Paid**

SUBMITTED BY:

Typed or Printed Name: André L. Marais

Signature

Date 10/16/00

Reg. Number

Under 37 CFR § 10.9(b)

Deposit Account II 10

20.0000

02-2666 _____
(complete if applicable)

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**REISSUE APPLICATION BY THE ASSIGNEE,
OFFER TO SURRENDER PATENT**

Docket Number (Optional)

005214.P001R

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s):

Kuriacose Joseph, et al.

Patent Number	Date Patent Issued
5,819,034	October 6, 1998
Title of Invention Apparatus for Transmitting and Receiving Executable Applications as for a Multimedia System, and Method and System to Order an Item Using a Distributed Computing System	

OpenTV, Inc. is the assignee of the entire interest in the original patent.

I offer to surrender the original patent.

 A certificate under 37 CFR 3.73(b) is attached.

I am authorized to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

Name of assignee

OpenTV. Inc.

Signature of person signing for assignee

Date

Typed or printed name and title of person signing for assignee

Umesh Desai, Associate General Counsel - IP

005214.P001R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)	
)	
Kuriacose JOSEPH, et al.)	Examiner: Not yet assigned
)	
Serial No.: New application)	Art Unit: Not yet assigned
)	
Filing Date: Herewith)	
)	
For: APPARATUS FOR TRANSMITTING)	
AND RECEIVING EXECUTABLE)	
APPLICATIONS AS FOR A)	
MULTIMEDIA SYSTEM, AND)	
METHOD AND SYSTEM TO ORDER)	
AN ITEM USING A DISTRIBUTED)	
<u>COMPUTING SYSTEM</u>)	

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATION UNDER 37 C.F.R. 3.73

Sir:

OPENTV, INC. certifies that it has ownership of U.S. Patent no. 5,819,034, issued October 6, 1998 by way of an assignment to OPENTV, Inc. (Assignee) from THOMAS CONSUMER ELECTRONICS, INC. (Assignor), recorded September 27, 1999 at reel 010263, frame 0580, by way of an assignment from the inventors (Kuriacose Joseph, Ainsley Wayne Jessup, Jr., Vincent Dureau and Alain Delpuch (Assignors) to THOMAS CONSUMER ELECTRONICS, INC. (Assignee), recorded April 28, 1994 at reel 6978 and frame 0789.

OPENTV, INC.

Date: _____

By: _____

Umesh Desai
Associate General Counsel - IP
OpenTV, Inc.